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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MANUEL ESPINOZA-ARAIZA,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 04-76181

Agency No. A78-022-216

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted July 22, 2008^{**}

Before: B. FLETCHER, THOMAS, and WARDLAW, Circuit Judges.

Manuel Espinoza-Araiza, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's ("IJ") removal order. We have jurisdiction under 8 U.S.C. §

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

1252. Reviewing for substantial evidence, *Lopez-Chavez v. INS*, 259 F.3d 1176, 1180 (9th Cir. 2001), we deny the petition for review.

Contrary to Espinoza-Araiza's contention, the IJ properly admitted the Form I-213 (Record of Deportable/Inadmissible Alien) that indicated he entered the United States without inspection in December 2000. *See Espinoza v. INS*, 45 F.3d 308, 310-11 (9th Cir. 1995) (an I-213 is admissible and there is no right to cross-examine its preparer where the alien fails to produce probative evidence casting doubt on its reliability). Substantial evidence therefore supports the agency's removability determination. *See id.* at 311; *see also* 8 U.S.C. § 1182(a)(6)(A)(i).

Espinoza-Araiza's remaining contentions are unpersuasive.

PETITION FOR REVIEW DENIED.